So the bill passed, title as stated.

Ordered that the same be certified to the Assembly.

Senate bill No. 108:

To be entitled an act to prevent frauds upon travelers. Was read the third time and put upon its passage.

The vote was:

Yeas-Messrs. Allen, Baker, Bryson, Cone, Crill, Delano. Dell, Fortner, Hatcher, Hendricks, Lesley, Mann, Mountien, McClellan, Polhill, Roberts, Sharpe and Swearingen-18.

Nays-Messrs. Chandler, Cole, Cottrell, Duncan, Greelev. Mallory, McKinne, Pope, Powers, Proctor, Sheppard and Speer-12.

So the bill passed, title as stated.

Ordered that the same be certified to the Assembly.

Senate bill No. 88:

To be entitled an act fixing the times of holding the Circuit Court in the 5th Judicial Circuit of Florida.

Was read the third time and put upon its passage.

The vote was:

Yeas-Messrs. Allen, Baker, Bryson, Chandler, Cone. Crill. Delano, Dell, Duncan, Fortner, Greeley, Hatcher, Landrum, Lesley, Mallory, Mann, Mountien, McClellan, McKinne, Polhill, Proctor, Roberts, Sheppard, Speer and Swearingen-25.

Nay—Mr. Cottrell—1. So the bill passed, title as stated.

Ordered that the same be certified to the Assembly.

Senate bill No. 91:

To be entitled an act to regulate the official printing and legal advertising in the several counties in this State,

Was read the third time and put upon its passage.

The vote was:

Yeas—Messrs. Allen, Baker, Bryson, Chandler, Cone, Cottrell, Crill, Delano, Dell, Duncan, Fortner, Greeley, Hatcher, Landrum, Mallory, Mann, Mountien, McClellan, McKinne, Polhill, Pope, Powers, Proctor, Roberts, Sheppard and Swear ingen-26.

Nays—Messrs. Lesley, Sharpe and Speer—3.

So the bill passed, title as stated.

Ordered that the same be certified to the Assembly.

Mr. Dell called up for consideration

Senate bill No. 45:

To be entitled an act for the prevention of crulty to animals;

Which was read a second time.

Mr. Dell moved that all after the first section be stricken

Which was agreed to.

The bill, as amended, was ordered to be engrossed.

BILLS ON THIRD READING.

Senate bill No. 13:

To be entitled an act to provide for the relinquishment of dower of insane married women,

Was read the third time and put upon its passage.

The vote was:

Yeas-Messrs. Allen, Baker, Bryson, Chandler, Cottrell, Delano, Dell, Duncan, Fortner, Greeley, Hatcher, Landrum, Les ley, Mallory, Mann, Mountien, McClellan, McKinne, Polhill, Pope, Proctor, Roberts, Sharpe, Sheppard, Speer and Swearingen-26.

Nays-None.

So the bill passed, title as stated.

Ordered that the same be certified to the Assembly. On motion of Mr. Mallory, the Senate adjourned until 10

c'clock to-morrow morning.

CONFIRMATIONS.

W. J. Williams, to be Collector of Revenue for Santa Rosa

W. J. Stephens, to be Assessor of Taxes for Santa Rosa

county.

S. A. Floyd, to be Sheriff for Franklin county.

Geo. Reese, to be Assessor of Taxes for Escambia county.

THURSDAY, February 1, 1883.

The Senate met pursuant to adjournment.

The President in the Chair.

The roll was called and the following Senators answered to

their names: Messrs. Allen, Baker, Bryson, Chandler, Cole, Cone, Cottrell, Crill, Delano, Dell, Duncan, Fortner, Greeley, Hankins, Hatcher, Hendricks, Landrum, Lesley, Mallory, Mann, Mountien, McClellan, McKinne, Polhill, Pope, Powers, Proctor, Roberts, Sharpe, Sheppard, Speer and Swearingen-32.

A quorum present.

Prayer by the Chaplain.

On motion of Mr. Fortner, the reading of the journal of yesterday was dispensed with.

INTRODUCTION OF RESOLUTIONS, MEMORIALS AND PETITIONS.

Mr. Powers presented the following petition, signed by 13

To the Honorable, the Senate of the State of Florida:

The petition of the undersigned tax-payers and propertyowners of the suburb of East Jacksonville respectfully present their protest and remonstrance against the passage of the bill introduced into your honorable body for the purpose of extending the limits of the City of Jacksonville, for the following reasons:

First—Your petitioners represent that the present bonded debt of the said City of Jacksonville is now about two hundred and seventy thousand dollars, an indebtedness which the voters of the suburb of East Jacksonville had no hand, act or

part in creating.

Second—That the character of the main business carried on in the said suburb, to-wit: the business of manufacturing lumber, should not be subjected to a city tax, as no possible benefit can result to the parties interested in said business, At least one hundred thousand dollars of capital is invested in this industry in the said suburb, giving employment to hundreds of poor men, and it would be a gross injustice, not only to the manufacturers, but also to their employees, if this largeamount of property was burdened with the enormous tax of two and one-half per cent. in addition to the State and county tax now paid upon this property. We do most respectfully insist that the imposition of the additional taxes necessarily resulting from the annexation of our suburb would most seriously cripple this important industry, especially in the present condition of the lumber market, the prices obtained for lumber leaving such slight margins of profit that the additional taxes that would be imposed if said bill should become a law would actually render the business unprofitable.

Third—We further respectfully insist that a lumber manufacturing district is no part of a city proper, and they require no protection or improvements other than that afforded by their employees. Nor can the city, in any way, enhance the value of the property engaged in or lying in the neighborhood

of said district.

Fourth—Of the hundreds of employees at work in the said. mills a considerable portion now own their own dwellingssmall, unpretentious houses, located in the neighborhood of the mills. These houses represent the savings of the men from their daily wages. They do not require, and are not adapted to, the use of any of the modern improvements existing in the City of Jacksonville, and are not contiguous thereto. To tax these dwellings for such improvements would not only be a manifest injustice to their owners, but in many instances would be tantamount to the confiscation of their property.

Lastly-Your petitioners respectfully represent that under the present laws a remedy is provided in the act regulating the government of cities and towns, for the extension or contraction of their limits, which remedy we respectfully suggest is fully and wholly adequate under all circumstances, and should be resorted to in this instance in lieu of the provisions of the present bill, which allows us no voice in the matter.

We therefore earnestly ask your honorable body to so change the bill that we may be allowed, by a vote of our district, known as East Jacksonville, to say whether or not we shall be

annexed to the City of Jacksonville.

Signed, G. Hunter & Son, and others. Which was read and ordered spread upon the journal.

Mr. McKinne offered the following resolution:

WHEREAS, It has been called to the attention of the Railroad Committee that certain railroads in this State are in a very dilapidated condition, so much so as to endanger the lives of the traveling public; therefore, be it

Resolved, That the Railroad Committee be instructed to make a full investigation of this matter, and to enable them to do so fully be authorized to send for persons and papers.

Which was read and adopted.

INTRODUCTION OF BILLS.

The following bill was introduced by Mr. Cone:

Senate bill No. 161:

To be entitled an act to incorporate Pine Hill Grange, No. 41; Patrons of Husbandry, in Bradford county, Florida;

. Which was read the first time and referred to the Committee on Corporations.

REPORTS OF COMMITTEES.

Mr. Mallory, Chairman of the Judicary Committee, made the following report:

SENATE CHAMBER, Tallahassee, Fla., Jan. 31, 1883.

Hon. L. W. BETHEL,

President of the Senate:

SIE-Your Committee on the Judiciary, to whom was re-

Assembly bill No. 19, to be entitled an act to enable actual -erred-settlers to procure homes: also,

Assembly bill No. 109, to be entitled an act to prescribe

the duties of County Treasurers as to warrants or orders which may be presented to them and not paid upon presents.

Assembly bill No. 110, to be entitled an act to prescribe the duties of treasurers of municipal governments as to warrants or orders which may be presented to them and not paid upon

Beg leave to report that they have considered the same, and recommend that they pass, with the amendments accompanying them herewith respectively.

Very respectfully,

S. R. MALLORY, Chairman.

Which was read and the accompanying bills and amendments placed among the orders of the day.

Also the following:

SENATE CHAMBER, Tallahassee, January 31, 1883.

HON. L. W. BETHEL,

President of the Senate:

SIR - Your Committee on Judiciary, to whom was referred__

Assembly bill No. 81, to be entitled an act to empower County Surveyors to appoint Deputies; also,

Senate bill No. 144, to be entitled an act relating to public records; also,

Senate bill No. 157, to be entitled an act to amend Section 1 of Chapter 3128, Laws of Florida, approved March 11, 1879, being an act in relation to the issue and service of criminal process in certain cases without prepayment of fees,

Beg leave to report that they have considered the same and recommend that they do pass.

Very respectfully,

S. R. MALLORY,

Chairman of Committee. Which was read and the accompanying bills placed among the orders of the day.

Also the following:

SENATE CHAMBER, Tallahassee, Fla., January 31, 1883. Hon. L. W. BETHEL,

President of the Senate:

SIR-Your Committee on the Judiciary, to whom was referred__

Senate bill No. 79, to be entitled an act to amend Section 3, Chapter 3106, fixing fees of certain officials; also,

Senate bill No. 148, to be entitled an act to amend an act to

provide a general law for the incorporation of railroads and

Senate bill No. 147, to be entitled an act to provide for the recording of certain instruments of writing,

Beg leave to report that they have considered the same and recommend that they do not pass.

Very respectfully, S. R. MALLORY, Chairman of Committee.

Which was read and the accompanying bills placed among the orders of the day.

Mr. Bryson, Chairman of the Committee on Engrossed Bills, made the following report:

SENATE CHAMBER, Tallahassee, Fla., February 1, 1883. Hon. L. W. BETHEL,

President of the Senate:

Sir-Your Committee on Engrossed Bills, to whom was referred-

Senate bill No. 14, to be entitled an act to require transportation companies to forward freights by such lines, routes and connections as shippers may direct, and to prevent discriminating charges against places along railroad lines in this State.

Beg leave to report that they have examined the same and find it correctly engrossed.

Very respectfully,

WM. BRYSON, Chairman.

Which was read and the accompanying bill placed among the orders of the day.

Mr. Speer, Chairman of the Committee on Claims, made the following report:

SENATE CHAMBER, Tallahassee, Fla., Feb. 1, 1883.

Hon. L. W. BETHEL,

President of the Senate:

Sir-Your Committee on Claims, to whom was referred-Senate bill No. 130, entitled an act for the relief of Seth S. Stevens; also,

Senate bill No. 143, to be entitled an act for the relief of George H. Mays,

Have had the same under consideration, and recommend that they do pass.

Senate bill No. 135, to be entitled an act for the relief of William L. Williams, and recommend that it do not pass. Very respectfully,

J. G. SPEER, Chairman.

Which was read and the accompanying bills placed among the orders of the day.

Mr. Duncan, from the Committee on Enrolled Bills, made the following report:

SENATE CHAMBER, Tallahassee, Fla., February 1, 1883. HON. L. W. BETHEL.

President of the Senate:

SIR-Your Committee on Enrolled Bills, to whom was re-

An act for the adoption of a child by Emanuel and Ritta Smith; also,

An act to punish the breaking and entering, or the entering without breaking, of a building in the day time, or entering in the night time without breaking, with intent to commit a misdemeanor; also,

An act to prohibit officers of municipal corporations from buying at a discount or speculating in city or town scrip, and to provide a penalty therefor: also.

An act for the adoption of a child by Jno. P. Roberts and making said child his heir; also,

An act for the adoption of a child by Wm. W. Keep and Pauline C. Keep, of Gadsden county, Florida.

Beg leave to report they have examined the same and find them correctly enrolled.

Very respectfully,

H. H. DUNGAN, Chairman.

Which was read.

er yar if

Mr. Greeley, Chairman of the Committee on Temperance, made the following report:

SENATE CHAMBER, Tallahassee, Fla., Feb. 1, 1883.

HON. L. W. BETHEL.

President of the Senate:

SIR: Your Committee on Temperance to whom have been referred several bills and many petitions for a local option law, also a petition from citizens of Melrose to prevent the sale of liquors within two miles of their school, have had all these matters under consideration, and after carefully examining the whole subject, beg leave to report a substitute bill to cover the whole.

Respectfully submitted,

J. C. GREELEY, Chairman Committee.

Which was read and adopted.

The President and Secretary signed the following bills: An act for the adoption of a child by Emanuel Smith and Ritta Smith; also,

An act to punish the breaking and entering, or the entering without breaking, of a building in the daytime, or entering n the night time without breaking, with intent to commit a misdemeanor; also.

An act to prohibit officers of municipal corporations from buying at a discount, or speculating in city or town scrip, and

to provide a penalty therefor; also, An act for the adoption of a child by John P. Roberts, and

making said child his heir; also, An act for the adoption of a child by Wm. W. and Pauline C. Keep, of Gadsden county, Florida.

Mr. Pope introduced the following bill:

Senate bill No. 162:

To be entitled an act for the relief of John L. Ingliss; Which was read first time and referred to Committee on

The Committee on Temperance offered to the following bill Claims.

as a substitute for Senate bill No. 163: To be entitled an act to limit and restrain the sale of intoxicating liquors, wine and beer in this State.

On motion, the substitute was adopted.

Mr. McKinne introduced the following resolution:

WHEREAS, The last Legislature saw fit to increase the license for the sale of whisky to such an amount that tends to discriminate in favor of the rich against the poor; therefore, be it

Resolved, That the Finance Committee be instructed to reduce the license to one hundred and fifty dollars for State license proper.

Mr. Crill moved to lay the resolution on the table;

The yeas and navs being called for the vote was:

Yeas-Messrs. Baker, Bryson, Chandler, Crill, Duncan, Greeley, Hendricks, Polhill, Pope, Sharpe, Speer and Swearin-

Nays-Messrs. Cole, Cone. Cottrell, Dell, Fortner, Hankins, Landrum, Lesley, Mallory, Mountien, McClellan, McKinne, Powers, Proctor, Roberts and Sheppard-16.

So the motion to lay on the table was not agreed to.

Mr. Chandler offered the following amendment: Amend so as to read "take into consideration the advisability of reporting a bill providing for the reduction of the tax on whiskey;"

Which was adopted.

Mr. Baker offered the following amendment: Strike out "Finance Committee" and insert "Temperance Committee."

Mr. Delano moved to lay this amendment on the table; Which was agreed to.

On motion of Mr. Chandler, the resolution, as amended, was adopted.

By leave, Mr. Pope introduced the following bill: Senate bill No. 163:

To be entitled an act to amend Section 11, with its sub-sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13 and 14, of Chapter 3219, Laws of Florida, being an act for the assessment and collection of revenue, approved March 5, 1881;

Which was read the first time and referred to the Committee on Finance and Taxation

BILLS ON SECOND READING.

Senate bill No. 130:

To be entitled an act for the relief of Seth S. Stevens, Was read the second time and ordered to be engrossed.

Senate bill No. 143:

To be entitled an act for the relief of Geo. H. Mays, Was read second time and ordered to be engrossed. Senate bill No. 135:

To be entitled an act for the relief of Wm. L. Williams of Escambia county,

Was read the second time and ordered to be engrossed. Senate bill No. 1481.

To be entitled an act to provide a law for the incorporation of railroads and canals.

Mr. Mallory moved that the bill be indefinitely postponed; Which was agreed to.
Senate bill No. 79:

To be entitled an act to amend Section 3, Chapter 3106, fixing fees of certain officers.

On motion of Mr. McKinne, the bill was indefinely post-

Senate bill No. 147:

To be entitled an act to provide for the recording of certain instruments of writing.

Mr. Landrum moved that the bill be recommitted; Which was agreed to.

Senate bill No. 144:

To be entitled an act in relation to public records, Was read the second time and ordered to be engrossed. Assembly bill No. 81:

To be entitled an act to empower County Surveyors to appoint Deputies.

Mr. Sharpe moved that the bill be recommitted; Which was agreed to. Senate bill No. 157:

To be entitled an act to amend Section 1, of Chapter 3128, Laws of Florida, approved March 11, 1879, being an act in relation to the issue and service of criminal process in certain cases without prepayment of fees,

Was read the second time and ordered to be engrossed.

Assembly bill No. 110:

To be entitled an act to prescribe the duties of Treasurers of municipal Governments as to warrants or orders which may be presented to them and not paid upon presentation.

The committee recommended amendments;

Which were adopted.

The bill was then read as amended the second time, and ordered to be engrossed.

Assembly bill No. 109:

To be entitled an act to prescribe the duties of county treasurers as to warrants or orders which may be presented to them and not paid upon presentation.

The committee recommend amendments;

Which were adopted.

· The bill was then read as amended the second time, and ordered to be engrossed.

Assembly bill No. 19:

To be entitled an act to enable actual settlers to procure homes.

The committee reported amendments.

Mr. Lesley offered the following amendment:

Strike out "sixty days" and insert "six months;

Which was adopted.

The bill, as amended, was then read the second time and ordered to be engrossed.

By leave, Mr. Speer introduced the following bill:

Senate bill No. 164:

To be entitled an act to incorporate the South Florida Rail-road Company.

On motion, the rule was waived by a two-thirds vote.

The bill was read the first time by its title and referred to the Committee on Railroads.

Senate bill No. 120:

To be entitled an act to extend the limits of the city of Jacksonville, and abolish conflicting municipal corporations.

The Committee on City and County Organizations reported the following amendments:

After the word "abolished," in line 5, of Section 3, insert the following:

Provided, however, That nothing in this act shall be so construed as to authoize the levy or collection of any taxes

against the people or property residing and situated in the territory hereby annexed to the city of Jacksonville, on account of any indebtedness of the city of Jacksonville incurred previous to the approval of this act.

Provided further, however, That nothing herein shall be so construed as to prevent the people of such territory from subjecting themselves to such taxation by a majority vote, if they hereafter deem proper so to do.

Mr. Lesley offered the following amendment:

Strike out "majority vote" wherever it appears, and insert "a two-thirds vote of all the votes intended to be incorporated into said city;"

Which was read and adopted.

The amendment of the committee was adopted. · Mr. Powers offered the following amendment:

At the end of last line, in Section 1, insert as follows:

Provided, however, That the registered voters residing within the territory herein proposed to be annexed to the said city of Jacksonville shall have the right to determine by vote whether they shall be included within said city of Jacksonville or not; that is to say, the voters of the town of LaVilla shall decide by vote, which vote shall determine the question as to that town; the town of Fairfield shall decide by vote as to their town; the suburbs of East Jacksonville, Oakland, Springfield, Brooklyn and Riverside shall decide by vote respectively as to their districts, the place and manner of voting to be determined by the County Commissioners of Duval county, except as to the towns of LaVilla and Fairfield, and in said towns their respective Town Councils shall determine the time, place and manner, which time so designated for voting shall not be later than sixty days from the date of the approval of this act.

Mr. Lesley offered the following amendment to Mr. Powers' amendment:

Wherever the word "vote" appears, insert before said word vote "two-thirds."

Mr. Pope moved that the further consideration of the bill be postponed until Tuesday at 11 o'clock.

Mr. McKinne moved Wednesday instead of Tuesday; Which was agreed to.

So the motion to postpone prevailed.

Mr. Dell offered the following resolution:

Be it resolved by the Senate, the Assembly concurring, That as the hand of affliction has been severely laid on the Hon. J. B. Dawkins, Judge of the Fifth Judicial Circuit, thereby wholly unfitting him from discharging the duties of his Circuit; therefore, be it

Resolved, That His Excellency, W. D. Bloxham, be requested to pay to Judge J. B. Dawkins one hundred dollars per month out of the contingent fund the remainder of his term of office;

Which was read and laid over for to-morrow. Mr. McKinne offered the following resolution:

WHEREAS, Other railroad companies besides the Pensacola and Atlantic Railroad Company, to-wit: the East Florida Railway Company, Gainesville, Ocala and Charlottee Harbor Railroad Company, now the Florida Southern Railroad Company, the Green Cove Springs and Melrose Railroad Company, Jacksonville, St. Augustine and Halifax River Railway Company, Orange Ridge, DeLand and Atlantic Railroad Company, Palatka and Indian River Railway Company, Tampa, Peace Creek and St. Johns River Railroad Company, now the Jacksonville, Tampa and Key West Railroad Company, St. Johns and Lake Eustis Railroad Company, Tropical, Peninsula Railtoad Company, and the South Florida Railroad Company were granted land to aid in the construction of the respective railroads, other than the alternate sections; and whereas, The conditions of the several charters to the said railroads were similar to that of the Pensacola and Atlantic Railroad Company; therefore, be it

Resolved, That a special committee be appointed to consider and report what legislation is necessary to protect the interest of the State of Florida in the premises, with power to send for persons and papers, to report fully what pledges of lands have been made, what alienations and incumbrances have been placed on them, and to make a full report of their findings, with the testimony upon which they are based.

Read and placed among the orders of the day for to-morrow. ·By leave, Mr. Mann introduced the following bill:

Senate bill No. 165:

To be entitled an act for the relief of persons who through mistake have put improvements on the lands of others.

On motion, the rule was waived by a two-thirds vote, the bill was read by its title the first time and referred to Committee on Public Lands.

By leave, Mr. Hatcher introduced the following bill:

Senate bill No. 166:

To be entitled an act to amend Sec. 7 of an act entitled an act to provide for the compilation, printing, distribution and sale of the Digest of the Laws of the State of Florida, and for other purposes.

On motion, the rule was waived by a two-thirds vote, and

the bill was read the first time by its title and referred to the Committee on State Affairs.

On motion, the Senate went into executive session.

Upon the doors being opened, on motion of Mr. Chandler, the Senate adjourned until 10 o'clock to-morrow.

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FRIDAY, February 2, 1883.

The Senate met pursuant to adjournment.

The President in the Chair.

The roll being called the following Senators answered to their names:

Messrs. Allen, Baker, Bryson, Chandler, Cone, Cottrell, Crill, Dell, Duncan, Fortner, Hankins, Hatcher, Hendricks, Landrum, Lesley, Mallory, Mann, Mountien, McClellan, McKinne, Polhill, Pope, Roberts, Sharpe, Sheppard, Speer and Swearingen—27.

A quorum present.

Prayer by the Chaplain.

On motion of Mr. McClellan, the reading of the journal of yesterday was dispensed with.

INTRODUCTION OF RESOLUTIONS, PETITIONS AND MEMORIALS.

Mr. McClellan introduced the following bill:

Senate bill No. 167:

To be entitled an act to legalize and give full force and effect to the appointment of Nicholas Comforter and Jas. R. Pickett as half-branch Pilots of Apalachicola, and allow their promotion:

Which was read the first time and referred to the Committee on Commerce and Navigation.

Mr. Duncan introduced the following bill:

Senate bill No. 168:

To be entitled an act to provide an asylum for the blind and deaf and dumb in this State;

Which was read the first time and referred to the Committee on Education.

By leave, Mr. Mallory presented the following petition:

To the Senate and Assembly of the State of Florida, in session now assembled:

The undersigned, your petitioners, represent unto your honorable bodies, that in their opinion the introduction of yellow

fever in August, A. D. 1882, into Pensacola, which thereafter became epidemic, could have been avoided had there been then existent a quarantine law more restrictive as to the character of vessels which shall be allowed to approach said city, and more clearly prohibitory in its terms of the approach to said city of vessels upon which there might by any possibility exist yellow fever, and your petitioners believe that the interests of every port in the State and of the State itself are identical, and require such legislation as will reduce to a minimum the risk of importing yellow fever into any of the cities of the State.

They therefore ask that you frame and pass such a bill, or such bills as may effectuate the end in view, and suggest that such bill or bills should contain—

1. A prohibition upon all vessels leaving any port infected with yellow fever from approach to any gulf or sea coast city from the 15th of May to the 1st of November, inclusive, of each

2. A prohibition upon all vessels having on board, or having had on board, during the three months preceding any yellow fever, from approach to any of said cities during said time.

3. A provision for quarantine of forty days, and proper disinfection of all vessels any port of the voyage of which shall have been during said time below latitude twenty-five degrees North

4. A provision that all vessels not falling within any of the three classes mentioned, shall be subject to no quarantine detention and to no charges, except for boarding and inspection to assertain the condition, voyage and hailing port. Your petitioners will ever pray.

Which was signed by 139 names.

Mr. Sharpe offered the following resolution:

"THAT WHEREAS, The last Legislature saw fit to increase the license for the sale of whisky to such an amount that tends to discriminate in favor of the poor, whose dearest interests is the sap upon which monstrous parasites exist upon society; and

"Whereas, The high tax upon whisky has a manifest tendency to increase the intoxicating effect of wine and beer; and

"Whereas, The only true principles involved is that of high tax and high morals, or low tax and low morals, the poor against whisky, and not the 'rich against the poor;'

"Therefore be it resolved, That the Finance Committee be instructed to take into consideration the paramount interests